

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DELIA FLORES,

Plaintiff,

v.

CHIME FINANCIAL, INC. f/k/a 1DEBIT, INC.,
and THE BANCORP BANK,

Defendants.

Civil Action No: 1:21-cv-04735-RA

**DECLARATION OF TYLER J. KANDEL
IN SUPPORT OF DEFENDANTS' MOTION TO COMPEL
ARBITRATION AND TO STAY THE PROCEEDINGS**

TYLER J. KANDEL, an attorney duly admitted to practice before this Court, pursuant to 28 U.S.C. § 1746, hereby declares the following to be true under penalty of perjury:

1. I am a Member of Sills Cummis & Gross, PC, attorneys for defendants, Chime Financial, Inc. ("Chime") and The Bancorp Bank ("Bancorp" and, together with Chime, "Defendants"), in the above-captioned action (the "Action"). I am fully familiar with the facts and circumstances set forth herein.

2. I respectfully submit this Declaration in support of Defendants' motion for an Order: (1) pursuant to Federal Arbitration Act, 9 U.S.C. §§ 1, et seq., compelling plaintiff, Delia Flores ("Plaintiff"), to arbitrate the claims asserted against Defendants in this Action; (2) staying the Action until such arbitration is complete; and (3) granting such other and further relief as the Court deems just, proper and equitable.

3. Plaintiff commenced this Action against Defendants by filing a complaint (the “Complaint”) in the United States District Court for the Southern District of New York on May 26, 2021. A true and correct copy of the Complaint is annexed hereto as Exhibit “1.”

4. On June 8, 2021, counsel for the parties to the Action filed a proposed stipulation accepting service of the Complaint and extending Defendants’ time to answer, move or otherwise respond to the Complaint to July 23, 2021 (the “Stipulation”). (*See* Docket No. 11).

5. On June 9, 2021, the Court So Ordered the Stipulation. (*See* Docket No. 14).

6. For the reasons set forth in the accompanying Memorandum of Law in Support of Defendants’ Motion to Compel Arbitration and to Stay the Proceedings, defendants, Chime Financial, Inc. and The Bancorp Bank, respectfully request that the Court issue an Order, granting the requested relief its entirety.

Dated: July 23, 2021

/s/ Tyler J. Kandel
TYLER J. KANDEL